



47 present, this has been a problem that has been ongoing but only came to the attention of  
48 the Governing Body recently. Ms. Brown agreed to meet with them. Councilman Raucci  
49 asked Ms. Brown if she had any plans or schematics of the sewer system? Ms. Brown  
50 stated that they have access to some old files from the Department of Public Works and is  
51 working closely with them. Councilman Raucci requested that “as-builts” be provided  
52 when you decide what is needed for the repair of sewer lines. Ms. Brown said that is her  
53 policy to provide that information. Councilwoman Heveran requested that Ms. Brown  
54 wait until after the “Public Session” on the Agenda. This would allow the residents to  
55 have their comments on the record. Councilman Raucci asked if authorization was  
56 needed to proceed? Mayor Cherchi stated that once the Resolution is approved they can  
57 proceed. Mayor Cherchi asked for a monthly written report. Mayor Cherchi also asked  
58 her to put on her agenda phases three and four of the “Downtown Beautification” nothing  
59 has been done with these projects, these projects are grants that we do not want to lose.  
60 Mayor Cherchi also asked her to monitor the project of Fort Lee Road and Broad Avenue  
61 which is a County funded project. Councilman Hawkins also asked her to review the  
62 Grand Avenue Drainage project. Mayor Cherchi said the BCUA did a study in the area of  
63 Spring Street with very extensive plans. Councilwoman Mitrani asked if the fee structure  
64 had been worked. The Borough Administrator reported that a meeting was held with the  
65 Borough Engineer, and Councilmen Ryan and Raucci and the schedule has been adjusted  
66 to the satisfaction of the DPW Committee. .

## 67 68 **APPOINTMENTS**

69  
70 Mayors Alternate to Library Board – Dr. Kwanghee Jung (exp. 12/31/2006)

71  
72 Library Board of Trustees – Alternate II Dr. Corneilio Porras (exp. 12/31/2007)

73  
74 Mayor’s Representative for Mass Transit – Barbara Marchant (exp 12/31/2006)

75  
76 Real Estate and Insurance Committee – Councilman Gil Hawkins, Chair

77 Councilman Charles Ryan

78 Council President Anthony Puzzo

79  
80 A motion was made by Councilwoman Heveran, seconded by Councilwoman Mitrani to  
81 appoint the Real Estate and Insurance Committee. Roll call vote; Councilpersons  
82 Hawkins, Heveran, Mitrani, Raucci and Ryan voted yes. Council President Puzzo was  
83 absent. Motion carried

84 Mayor Cherchi asked the members of the Council if anyone had a problem with  
85 appointments of the Laws and Ordinances Committee. No one from the Council noted a  
86 problem with the appointments previously made.

87  
88 Fire Committee – Councilwoman Mary Heveran, Chair

89 Councilman Charles Ryan

90 Councilman Frank Raucci

Councilman Hawkins made a motion, seconded by Councilwoman Mitrani to appoint the Fire Committee. Roll call vote; Councilpersons Hawkins, Heveran, Mitrani, Raucci and Ryan voted yes. Council President Puzzo was absent. Motion carried.

### **OPEN PUBLIC SESSION**

Linda Christensen, 131 Broad Avenue; Two more neighbors have had sewer back-ups in their homes. Mrs. Christensen stated her husband went to Borough Hall and reported a clogged drain on Oakdene on December 30<sup>th</sup> but no one came to look at the situation. This afternoon a large tractor trailer went through Broad Avenue and knocked several large branches off a tree. The truck never stopped in Leonia, it went straight through to Englewood (Mrs. Christensen was behind the truck). Mrs. Christensen asked why the truck ordinance is not being enforced. Mrs. Christensen noted that the trucks have driven over sidewalks in town breaking them, they also damage trees. Mayor Cherchi asked the Borough Engineer to look into the sewer problems on Broad Avenue.

Darrel Whitter; 132 Spring Street; Mr. Whitter thanked the Governing Body for their quick response to the concerns of the residents of Spring Street. Mr. Whitter introduced Sue Bae to the Governing Body; her home received the brunt of the back-up. Mr. Whitter spoke about the erosion of the road on Spring Street.

Sue Bae. 136 Spring Street; explained the problems at her home on December 26<sup>th</sup>. She stated the sewage came up through the sink in the basement where they do their laundry.

Martin Monaco, 352 Highwood Avenue; Commended the DPW, Fire Department and Police Department for their response in the wind storm. Spoke about the flags on Borough Buildings.

Julio Pacheco, 170 Spring Street; Mr. Pacheco spoke about the auto dealer on the corner of Spring Street and Station Parkway. They are parking cars on Borough property. The borough Administrator will speak to the Police Department.

Alex Rodriguez, 127 Broad Avenue; Urged the Governing Body to make Broad Avenue a priority regarding the sewer problems on Broad Avenue.

Deirdre Mitchell, 156 Spring Street; Mrs. Mitchell brought to the attention of the Governing Body that a handicap parking spot on Spring Street. It was put-up several years ago for a resident that is no longer living there. Parking on the street is scarce, can the sign be removed? The Borough Administrator said she would have the Police Department check the need for the sign and if the sign can be removed, direct the DPW to remove the sign.

Mrs. Mitchell also spoke about bushes that are overgrown. The DPW will be notified to cut back the bushes.

Ana Colditz. 150 Spring Street; Also had a sewer back-up in her basement on December 26<sup>th</sup>.

Mr. Zaldana, 174 Spring Street; Mr. Zaldana spoke about the pot holes on Spring Street. The Borough Engineer will look into this issue.

## **STANDING COMMITTEES**

Finance Administration & Personnel – Councilwoman Heveran reported that the Committee met on Sunday. Some issues that were discussed will be brought to the attention of the Borough Administrator. One of the issues that came up is the necessity of a point person or receptionist at Borough Hall. This person would handle the complaint calls and have the Department that is responsible for action regarding sign off that they have received the call. Looking at various forms for evaluations and working on the budget.

Laws & Ordinances – Councilwoman Mitrani reported that the Committee has not met but noted that her goal is to have the Committee look at the following Ordinances; Shade Tree, Sidewalks, and Ordinances recommended by the Planning Board, Fire Department, Certificates of Occupancy, Building Department Fees.

Police – Councilman Ryan reported that the Police Commission was going to meet with Police Chief next week and then have a meeting without him. One of the issues for discussion will be patrolling Broad Avenue and the large truck problem.

Fire – Councilwoman Heveran reported that the Fire Department had responded to 10 calls on January 18<sup>th</sup> due to the high winds and rain. There were 35 calls for the month of December. There were 6 cooking fires and 6 gas leaks. One of the gas leaks was on Leonia Avenue right near the Presbyterian Church. The church houses a day care for very young children. Councilwoman Heveran commended the Fire Department, Board of Education and the recreation Commission all of whom came together and moved the children to a safe place. Councilwoman Heveran reported a problem with the portable radios. Calls from Connecticut can be heard on the portables. This poses a problem when there is a fire the Chief cannot communicate with the members. Councilwoman Heveran reported on several drills the Fire Department has had in recent weeks. Councilwoman Heveran read a letter from Mrs. Erlich, 199 Christie Street commending the Fire Department for responding to a smokey toaster oven fire. Councilman Hawkins noted that you can hear firefighters in New Canaan in a fire but you cannot hear the Fire Chief three blocks away. Mayor Cherchi asked for clarification on the donation letter received by the residents. Councilman Hawkins clarified what occurred. He noted that a private firm sent out the mailing.

Ambulance – Councilman Raucci reported that he was going to meet with the Ambulance Corps and would have a report for the February meeting.

Public Works – Councilman Ryan reported that he and Councilman Raucci met with Ann Brown from Birdsall Engineering. Councilman Ryan noted that he has met with the

184 Superintendent of Public Works regarding curb painting, water of trees downtown and  
185 other issues that have arisen. The “salt lick” has been removed from the swim club  
186 property.

187  
188 Real Estate and Insurance: –Councilman Hawkins the Committee is going to look into  
189 the property on Fort Lee Road. Councilman Hawkins questioned flag lots. Mayor Cherchi  
190 noted that the Planning Board is not creating flag lots and as far as they are concerned  
191 there is no issue. Councilman Ryan asked for a clarification of our purpose and would it  
192 be defensible if we had an ordinance on what a flag lot is. Mayor Cherchi explained our  
193 ordinance. Councilman Raucci also noted that if our Ordinances are enforced none will  
194 be created.

195  
196 Borough Administrator – The Borough Administrator reported that 1933 homes lost  
197 power from the storm. Some lines were down by trees others were whole circuits that  
198 were out. The Borough Administrator reported that in accordance with Stormwater  
199 Regulations catch basins are being marked. The Borough Administrator reviewed the  
200 report regarding the soil removal at the fire house. The Borough Administrator asked if  
201 there are any additional programs are planned, if there are please advise her office by the  
202 end of January. The Borough Administrator reported that Governor Corzine will not  
203 guarantee that we will receive the same amount of State Aid as we have previously. The  
204 earliest the State is going to confirm the number is March which will create a very late  
205 budget. The Assessors; The Borough Administrator has completed a review  
206 approximately \$500,000 is abated, all records are up to date and they receive monthly  
207 reports from the Building Department. The computer system that the Assessor has, he  
208 does not need to be on site all the information is sent to him and everything is updated.  
209 The computer system prints the abated date in the books. This abated amount is born by  
210 everyone in town. Received a “Smart Growth Grant” in the amount of \$20,000, this  
211 money may be used to update Planning Board ordinances or the Master Plan. Met  
212 regarding the cell tower on the fire house, Councilman Raucci was present, as well as the  
213 Fire Department and the Building Department. Met with architect on the final Borough  
214 Hall changes, however, did not receive anything back for this agenda packet.

215  
216 Mayor

217  
218 Special Bodies to the Borough; Councilman Hawkins reported that he went to the  
219 Environmental Commission Meeting to speak to them about recycling and they are  
220 reviewing the Code to see where they can help with the Recycling problems. There was a  
221 deer feeding station behind the pool. The stormwater regulations prohibit this. There is  
222 also a problem with dumping in that area which Councilman Hawkins discussed with the  
223 Borough Administrator. There is a problem with feral cats in Highwood Hills. This is an  
224 ongoing problem. On the most eastern side there is a stone wall it was created when Plaza  
225 West was built. Along that wall they have created 6-12 cat hutches, the original hutches  
226 were removed and signs were posted and this person has come back and recreated the  
227 hutches but this time they are camouflaged. If you follow the path around there is a gate  
228 by Plaza West. The gate is gone. The Borough Administrator is going to send a letter for  
229 Fort Lee Board of Health and Plaza West.

Councilman Ryan reported that the Social Services Board met last evening and he was not aware of the meeting. Doug Chung cannot be at the meetings which are Tuesdays at 5pm, they meet quarterly. There are also other membership issues.

Councilman Raucci made note that the trees by the pool have been removed and it enables someone to drive in there and dump illegally.

Councilman Hawkins spoke about the Overpeck Preserve he handed out a brochure and noted that they were donated by the Bergen County Audubon Society. The final paperwork for the trails will be going out shortly waiting for the last of the plans from Neglia Engineering.

## **RESOLUTIONS**

The following Resolutions were pulled for discussion; 06-01, 06-42, 06-48 and 06-50. Councilman Ryan made a motion, seconded by Hawkins to approve Resolutions 06-41, 06-43 through 06-47, 06-49 and 06-52. Roll call vote; Councilpersons Hawkins, Heveran, Mitrani, Raucci and Ryan voted yes. Council President Puzzo was absent. Resolutions approved.

Resolution 06-01 Councilwoman Heveran would like to discuss the Rules of Order at the next Work Session. Councilman Ryan agreed. Mayor Cherchi suggested that Rules of Order be adopted and further amended at the next meeting. Councilman Raucci asked if the Council was in jeopardy if they were not approved. Mr. Giblin advised the Governing Body they were not in any jeopardy if they were not approved at this meeting. They can be amended whenever the Governing Body wishes to make an amendment.

A motion was made by Councilman Ryan, seconded by Councilman Raucci to approve Resolution 06-01. Roll call vote; Councilpersons Hawkins, Heveran, Mitrani, Raucci and Ryan voted yes. Council President Puzzo was absent. Resolution 06-01 approved.

Resolution 06-42 - Councilman Raucci noted that he is abstained on Resolution 06-42, because there is a payment for him on the bills list. A motion was made by Councilwoman Heveran, seconded by Councilwoman Mitrani to approve Resolution 06-42. Roll call vote; Councilpersons Hawkins, Heveran, Mitrani, Ryan voted yes. Councilman Raucci abstained. Council President Puzzo was absent. Resolution 06-42 approved.

Resolution 06-48 – Councilman Ryan explained he now understands why the new phones were important to the Fire Department. A motion was made by Councilman Ryan, seconded by Councilman Hawkins to approve Resolution 06-48. Roll call vote Councilpersons Hawkins, Heveran, Mitrani, Raucci and Ryan voted yes. Council President Puzzo was absent. Resolution 06-48 approved.

Resolution 06-50 (discuss in closed session)

Resolution 06-51 was held by the Borough Administrator pending another quote.

### **Introduction of Ordinance**

Introduction of Capital Bond Ordinance 01-06 entitled:

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, AND NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT IN, BY AND FOR THE BOROUGH OF LEONIA, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$698,532 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

The Borough Attorney read the Ordinance by Title

A motion was made by Councilperson Raucci, seconded by Councilperson Hawkins to approve Ordinance 01-06.

Councilwoman Heveran expressed some concerns about the Ordinance. Councilwoman Heveran asked if the recommendations came from the 2005 Capital Budget Committee? Mayor Cherchi said partially yes. The Capital Budget Committee is continuing committee certain members are changed but the core members or citizens remains the same. Councilwoman Heveran questioned the appropriation for sewers. Councilwoman did not feel this would be enough to correct the problems. The Borough Administrator explained that this amount is appropriated each year. Mayor Cherchi noted that this could be the baseline and the amount can be amended through additional ordinances. Councilman Ryan agreed that we should probably increase the amount and spend more on preventive. Councilwoman Heveran questioned Letter D the salt storage building. Councilwoman Heveran asked if a shared service agreement was negotiated with anyone. The Borough Administrator stated no one was interested because we are not near enough to anyone. Councilwoman Heveran inquired if Teaneck had been approached. The Borough Administrator stated Leonia did not have the ability to supply salt to Teaneck. And under the stormwater regulations we have to contain the salt. Leonia is looking at a smaller container because of the size of the area at

the DPW. Mayor Cherchi noted that the salt shed was approved five years ago and was never fully funded and has been sitting undone for all these years. Councilman Hawkins noted that Councilwoman Heveran would like to familiarize herself with the items in the Ordinance wait until there is a meeting. The Borough Administrator explained the process for these items. She explained that these items are put together at the end of the year so they may be included in the budget process. Councilman Hawkins feels that if Councilwoman Heveran would like to familiarize herself with the numbers in the Ordinance she should be allowed to do so. Councilwoman Heveran asked if the money allocated in the Shade Tree appropriation is enough? The Borough Administrator explained that each item is the request of the each Department. Councilwoman Heveran asked for clarification; the Capital Budget Committee from last year makes the Capital Budget for this years' Council? The Borough Administrator explained the process and said she can give her the back-up for the items in the Ordinance. Councilmen Hawkins and Raucci would also like to review the documents.

Councilman Raucci withdrew his motion to introduce the Ordinance; Councilman Hawkins withdrew his second on the motion. Ordinance held until the next meeting.

## **CORRESPONDENCE**

Memo from Marion Cassidy RE: Senior Bus Driver- Mayor Cherchi reported that the Senior Bus Driver is moving and the bus will not operate after the end of the month. Councilman Hawkins explained that he spoke with Marion Cassidy and the driver needs to have a CDL. Perhaps we could apply for a grant for a smaller bus and not need a CDL and that may open up the search for a driver. The Grant needs to be written by February 1<sup>st</sup>. The Borough Administrator noted we may need to check with the JIF regarding the need for CDL for a smaller bus. Councilwoman Heveran noted that she had been the liaison to the seniors when the bus was being built, and yes we do need to have a driver with a special license. Councilman Hawkins noted that Mrs. Cassidy was hoping to increase the hours and perhaps attract a driver that way. Councilman Ryan asked when the driver gave notice? The Borough Administrator stated the end of November and Mrs. Cassidy has been looking since. Even our retired Police Officers have been asked if they would be interested. Mayor Cherchi also reminded everyone that the salary was a grant from the Senior Housing and this year the grant is not there and the salary will be the responsibility of the Borough. The Borough Administrator explained where the Borough was in terms of the budget. The Council discussed the options of a smaller bus and the driver.

The Council discussed the request by the Music Boosters from the High School and approved the request to have a can shake as long as they stayed on the sidewalk.

Councilwoman Heveran read a letter from Lawrence Rausch from the State Fire Commission announcing that Jack Murphy has been appointed as Deputy State Fire Coordinator for Bergen County.

**COMMENTS FROM THE PUBLIC**

No one spoke.

**CLOSED SESSION (RESOLUTION B)**

A motion was made by Councilperson Hawkins seconded by Councilperson Raucci to go into Closed Session. All in favor none opposed.

The Borough Administrator stated she had a request from Council President Puzzo to table the Venezia v the Borough discussion. Councilwoman Heveran asked if this could be done in Closed Session? The Borough Attorney stated it could be done in Closed.

Councilman Hawkins made a motion to table the discussion, seconded by Councilwoman Heveran, all in favor none opposed.

Councilman Raucci made a motion to come out of Closed Session, seconded by Councilwoman Mitrani. All in favor none opposed.

Resolution 06-50; Councilman Ryan made a motion to approve Resolution 06-50, seconded by Councilwoman Mitrani. Roll call vote; Councilpersons Mitrani and Ryan voted yes. Councilpersons Hawkins, Heveran and Raucci voted no. Council President Puzzo was absent. Resolution 06-50 not approved.

Resolution 06-45; Councilman Hawkins made a motion to approve Resolution 06-45, seconded by Councilman Raucci. Roll call vote; Councilpersons Hawkins, Heveran, Mitrani, Raucci and Ryan, Council President Puzzo was absent. Resolution 06-45 approved.

Councilwoman Heveran made a motion to adjourn at 10:20pm, seconded by Councilman Hawkins. All in favor; none opposed.

Respectfully submitted,

Fran Lehmann  
Borough Clerk